

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

UNITED STATES, et al.,)	
)	
Plaintiffs,)	
v.)	No. 1:23-cv-00108-LMB-JFA
)	
GOOGLE LLC,)	
)	
Defendant.)	

**PLAINTIFFS' UNOPPOSED MOTION TO PERMIT
VIRTUAL TESTIMONY BY REMOTE TELECONFERENCE**

Plaintiffs respectfully move this Court for an order granting leave to provide virtual remote live testimony for three witnesses, Rajeev Goel, Jay Friedman, and Arnaud Creput, at the upcoming trial scheduled to begin on September 22, 2025.

In support of this motion, Plaintiffs state:

1. Plaintiffs disclosed Rajeev Goel, Jay Friedman, and Arnaud Creput as witnesses to be called to testify via deposition on their Remedies Witness List. (ECF No. 1563.)

Pursuant to the Court's instructions at the Pretrial Conference, Plaintiffs have requested, through counsel, that these witnesses appear for live testimony instead of via deposition.
2. Rajeev Goel resides in California where he is CEO & Co-Founder of PubMatic.

Flying to Virginia from California for a court appearance on short notice would disrupt his professional obligations as CEO of PubMatic.
3. Jay Friedman resides in Colorado where he works as Goodway Group's Strategic Advisor and former CEO. Flying from Colorado to Virginia for a court appearance on short notice would disrupt his professional obligations to Goodway Group.

4. Arnaud Creput resides in France where he works as Equativ's CEO. Plaintiffs expect that Arnaud Creput's testimony will include a translator. Flying from France to Virginia for a court appearance on short notice would disrupt his professional obligations to Equativ.
5. Messrs. Goel, Friedman, and Creput indicated they are willing to testify via contemporaneous audio-video transmission if this Court will permit. Plaintiffs have conferred with their counsel on scheduling their testimony and anticipate calling Jay Friedman to testify in the afternoon on September 23, Arnaud Creput in the morning of September 29, and Rajeev Goel in the afternoon on September 30. Plaintiffs seek to take Arnaud Creput and Rajeev Goel's testimony out of order, after Plaintiffs have rested their case-in-chief.
6. Pursuant to Federal Rule Civil Procedure 43(a), "[f]or good cause in compelling circumstances and with appropriate safeguards," the Court may allow testimony by contemporaneous transmission. Here, compelling circumstances exist, and the Court has broad discretion to allow remote appearance for non-party testimony.
7. Plaintiffs will follow all procedures and safeguards ordered by the Court or required by the Courtroom Technology Administrator.
8. Plaintiffs' Counsel has conferred with Google's Counsel, and there is no opposition to this motion.

WHEREFORE, Plaintiffs respectfully request that the Court:

- a. Permit Rajeev Goel, Jay Friedman, and Arnaud Creput to testify remotely and virtually at the upcoming trial, and

- b. Grant Plaintiffs leave to call Rajeev Goel and Arnaud Creput out of order, after Plaintiffs have rested their case-in-chief.

WAIVER OF ORAL ARGUMENT:

Plaintiffs waive oral argument on this procedural motion.

Dated: September 18, 2025

Respectfully submitted,

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